

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**JUSTIN VIRDEN,**

**Plaintiff,**

**v.**

**MICHAEL J. ASTRUE,  
COMMISSIONER OF  
SOCIAL SECURITY,**

**Defendant.**

**No. 11-CV-0189-DRH**

**MEMORANDUM AND ORDER**

**HERNDON, Chief Judge:**

On March 11, 2011, Justin Virden filed a complaint against the Commissioner of Social Security, for judicial review of an administrative agency's decision (Doc. 2). Specifically, Virden seeks judicial review of the Commissioner's decision regarding claims for social supplemental security income and security disability insurance benefits which adversely affects him.

On November 4, 2011, pursuant to 28 U.S.C. § 636(b)(1)(B), United States Magistrate Judge Clifford J. Proud submitted a Report and Recommendation ("the Report") recommending that the Court grant plaintiff's motion for summary judgment, reverse the Commissioner's final decision and remand this case to the Commissioner for rehearing and reconsideration of the evidence pursuant to sentence four of 42 U.S.C. § 405(g) (Doc. 29).


The Report was sent to the parties with a notice informing them of their right


to appeal by way of filing “objections” by November 21, 2011. To date, none of the parties have filed objections, and the period in which to file objections has expired. Therefore, pursuant to 28 U.S.C. § 636(b), this Court need not conduct *de novo* review. *Thomas v. Arn*, 474 U.S. 140, 149-52 (1985).

Thus, the Court **ADOPTS** the Report in its entirety (Doc. 29) and **GRANTS** the motion for summary judgment (Doc. 15). The Court **REMANDS** this case to the Commissioner for rehearing and reconsideration of the evidence, pursuant to sentence four of 42 U.S.C. § 405(g). Further, the Court **DIRECTS** the Clerk of the Court to enter judgment reflecting the same.

**IT IS SO ORDERED.**

Signed this 22nd day of November, 2011.

 David R.  
Herndon  
2011.11.22  
18:03:07 -06'00'



**Chief Judge**  
**United States District Court**